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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/309,372	05/11/1999	KENNETH M. LASSESEN	3797.77742	7410

28319 7590 12/17/2003

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EXAMINER

NGUYEN, MAIKHANH

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 12/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/309,372

Applicant(s)

LASSESEN, KENNETH M. *SL*

Examiner

Maikhanh Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: RCE filed 11/12/2003 to the original application filed 05/11/1999.
2. Claims 1-14 are currently pending in this application. Claims 1, 6, and 14 have been amended by Applicant. Claims 1, 6, and 14 are independent claims.

Request Continuation for Examination

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/11/2003 has been entered.

Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language; or " (Emphasis added.)

As to independent claim 1, Heiny discloses (*col.13, line 39 – col.14, line 35*) a computer-readable medium having computer-executable instructions for performing steps comprising:

- allowing a user to select a language in which at least a portion of an electronic file is to be displayed (*a user ...can select one language from a list of available languages as the language in which he wants to view the retrieved information*);

- receiving the electronic file at the user's computer wherein the electronic file's content includes a first plurality of phrases (*the character string corresponding to the native expression ...a user would be presented with the choice to select: "English," "Deutsch," or "Espanol."*);

- at the user's computer, selecting , for display to the user, from the first plurality of phrases, a second plurality of phrases that are expressed in the language selected by the user (*a user can dynamically change the language ... a pull down menu may be accessed to select any one of the available languages*); and

- displaying to the user the second plurality of phrases that are expressed in the language selected by the user (*the display will be updated so that everything on the display will be change to the new language*).

As to dependent claim 2, Heiny discloses the electronic file is received at the use's computer via the Internet (*col.3, lines 9-14*).

As to dependent claim 3, Heiny discloses the electronic file is an HTML document (*html; col.3, lines 9-14*).

As to dependent claim 4, Heiny discloses a Web browser displays the HTML document to the user (*browser application; col.3, lines 9-14*).

As to dependent claim 4, Heiny discloses a Web browser displays the HTML document to the user (*browser application; col.3, lines 9-14*).

As to dependent claim 5, Heiny discloses the Web browser translates at least a portion of the HTML document into the language selected by the user (*col.14, lines 3-35*).

Independent claim 6, the rejection of claim 1 above is incorporated herein in full. However, claim 6 further recites:

- assigning to at least one word in the electronic file a plurality of identifiers, where each identifier corresponds to one of a plurality of respective translation in the electronic file for said at least one word;
- using an identifier from the plurality of identifiers, wherein the identifier corresponds to the language selected by the user, to obtain, from the respective translation in the electronic file, a translation, in the language selected by the user, for the at least one word; and
- inserting the translation obtained from the electronic file into a translated electronic file.

Heiny discloses:

- assigning to at least one in the electronic file at least one identifier which corresponds to a translation in the electronic file for said at least one word (*the language name list 230 ... each pair contains a language handle 232 ... the language handle identifies a particular language; col.13, lines 39-50*);
- using an identifier from the plurality of identifiers, wherein the identifier corresponds to the language selected by the user, to obtain, from the respective translation in the electronic file, a translation, in the language selected by the user, for the at least one word (*the language name*

list may be used when it is desirable to display the name of language to a user ... can select one language from a list of available languages; col.13, lines 51-65); and

- inserting the translation obtained from the electronic file into a translated electronic file
(a user can dynamically change the language ... a pull down menu may be accessed to select any one of the available languages ... changed to the new selected language; col.14, lines 3-35).

Dependent claim 7 includes the same limitations as in claim 3, and is similarly rejected under the same rationale.

As to dependent claim 8, Heiny discloses the translation for said at least one word is stored in a data structure on a server *(client/server; col.4, lines 51-57).*

As to dependent claim 9, Heiny discloses the data structure is an array *(array; col.14, lines 41-67).*

Dependent claim 10 includes the same limitations as in claim 4, and is similarly rejected under the same rationale.

As to dependent claim 11, Heiny discloses the translated HTML document is provided to the user via the Internet *(the internet; col.3, lines 9-14).*

As to dependent claim 12, Heiny discloses a plurality of words in the HTML document are assigned a plurality of identifiers *(col.13, lines 39-50).*

As to dependent claim 13, Heiny discloses a plurality of phrases in the HTML document are assigned a plurality of identifiers that correspond to said translation *(col.13, lines 39-50).*

Independent claim 14, the rejection of independent claim 6 above is incorporated herein in full. However, claim 14 further recites “replacing the plurality of words in the document by

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inserting into the document the selected plurality of respective translation for the plurality of words.”

Heiny discloses replacing the plurality of words in the document by inserting into the document the selected plurality of respective translation for the plurality of word (*a user can dynamically change the language ... the display will be changed to the new selected language; col.14, lines 3-35*).

Response to Arguments

5. Applicants' arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) rejection.

The Examiner believes that Heiny teaches the claimed invention as in the claims rejections above.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kennelly et al.	U.S Patent No. 6,559,861	issued dated: May 6, 2003
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Lakritz et al.	U.S Patent No. 6,223,529	issued dated: Sep. 23, 2003
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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (703) 306-0092. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Field can be reached on (703) 305-9792. The fax phone numbers for the

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organization where this application or proceeding is assigned are (703) 308-5403 for regular communications and (703) 308-5403 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

Contact Information:

Any response to this action should be mailed to:

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Or fax to:

AFTER-FINAL faxes must be signed and sent to (703) 746-7238.

OFFICIAL faxes must be signed and sent to (703) 746-7239.

NON OFFICIAL faxes should be sent to (703) 746-7240.

All OFFICIAL faxes will be handled and entered by the docketing personnel. The date of entry will correspond to the actual FAX reception date unless that date is a Saturday, Sunday, or a Federal Holiday within the District of Columbia, in which case the official date of receipt will be the next business day. The application file will be promptly forwarded to the Examiner unless the application file must be sent to another area of the Office, e.g., Finance Division for fee charging, etc.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist). All hand-delivered responses will be handled and entered by the docketing personnel. Please do not hand deliver responses directly to the Examiner.

Maikhanh Nguyen
December 10, 2003


JOSEPH H. FEILD
PRIMARY EXAMINER